

State Medical Board of Ohio
Formal Action Report – August 8, 2018

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Date: 9/4/2018

Please find below a summary of actions taken or initiated by the State Medical Board of Ohio and an update of Board matters pending or decided in courts as of August 8, 2018.

PRE-HEARING SUSPENSIONS

KAVLICH, John James, M.D. (#35.057128) - Berea, Ohio

Pursuant to Section 4731.22(G), medical license summarily suspended based on the Board's determination that there is clear and convincing evidence that doctor is in violation of Section 4731.22(B)(19), Ohio Revised Code, and that his continued practice presents a danger of immediate and serious harm to the public. Order effective 8/8/2018. (See also: Citations/Proposed Denials below.)

CITATIONS/PROPOSED DENIALS

ALI, Asad Syed, M.D. (#35.077032) - Hamilton, Ohio

Based on allegations that: the doctor pre-signed blank prescriptions before issuance, and subsequently failed to secure those prescriptions; and that the doctor authorized a prescription for a non-patient ex-girlfriend, that he knew to be fraudulent. Notice of Opportunity for Hearing mailed 8/9/2018.

BRIZUELA, Felix, Jr., D.O. (#34.008267) - Harrison City, Pennsylvania

Based on a prior action by the Pennsylvania Department of State, State Board of Osteopathic Medicine, which issued an Order approving a Consent Agreement, wherein the doctor's license was subject to a stayed indefinite suspension in favor of probation, during which the doctor was prohibited from prescribing, dispensing, or administering any controlled substances, schedule I through IV. The Pennsylvania Board based its action, in part, on criminal charges having been filed against the doctor in the United States District Court for the Northern District of West Virginia, alleging that the doctor had unlawfully distributed Schedule II controlled substances without a legitimate medical purpose, and conspired to distribute controlled substances outside the bounds of professional medical practice. Notice of Opportunity for Hearing mailed 8/9/2018.

DEMINT, Franklin Donald, D.O. (#34.005493) - Kingston, Ohio

Based on allegations that the doctor violated the conditions of limitation placed by the Board upon the doctor's license to practice in a 11/5/2014 Board Order, when: the doctor was found guilty of Domestic Violence, a first degree misdemeanor, in the Municipal Court of Chillicothe, Ohio, to which the doctor was sentenced to five days in jail, a five hundred (\$500.00) dollar fine, and two years probation; and also that the doctor failed to appear for scheduled office conferences on 5/9/2017, and 6/13/2017; and also falsely submitting quarterly declarations stating he had been in compliance with the Board Order. Notice of Opportunity for Hearing mailed 8/9/2018.

GOSWAMI, Atul S., M.D. (#35.050449) - Akron, Ohio

Based on allegations that the doctor failed to appropriately respond to a Board subpoena, when the doctor provided incomplete records, despite the doctor having represented they were complete. Notice of Opportunity for Hearing mailed 8/9/2018.

KAVLICH, John James, M.D. (#35.057128) - Berea, Ohio

Based on allegations that the doctor is unable to practice according to acceptable and prevailing standards of care without appropriate treatment, monitoring or supervision by reason of mental or physical illness. Notice of Opportunity for Hearing mailed 8/9/2018.

OSTERHUES, Jacob Robert, M.T. (#33.020960) - Oregonia, Ohio

Based on the massage therapist's indictment in the Warren County Court of Common Pleas, Warren County Ohio, of one count of Aggravated Possession of Drugs, a fifth-degree felony, to which the Court granted the massage therapist eligibility for Intervention in Lieu of Conviction; also based on allegations that the massage therapist is impaired in his ability to practice according to acceptable and prevailing standards of care because of habitual or excessive use or abuse of drugs, alcohol, or other substances that impair his to practice. Notice of Opportunity for Hearing mailed 8/9/2018.

FINAL ORDERS

ABOU EL SOUD, Mahmoud M.E., M.D. (#35.052559) - Moreland Hills, Ohio

License to practice medicine and surgery revoked and subject to a five thousand dollar (\$5,000.00) fine. Based on the finding that when the doctor suddenly closed his medical practice without providing notice to his patients, and thereby leaving his patients without a means to obtain their medical records, his acts, conduct or omissions violated or attempted to violate, directly or indirectly the Board's rule requiring that adequate notice be provided to patients when leaving or closing the practice; and that the doctor departed from, or failed to conform to, minimal standards of care of similar practitioners under the same or similar circumstances, whether or not actual injury to a patient is established. Order effective 8/21/2018. (Journal Entry – No hearing requested.)

BOWERS, Anna Marie, M.T. (#33.005020) - Burton, Ohio (Non-Disciplinary)

Massage therapist's application for restoration of license to practice massage therapy granted, pending passage of the Massage and Bodywork Licensing Examination. Based on massage therapist having not practiced in at least two years prior to application for restoration of license. Order effective 8/9/2018. (Journal Entry – No hearing requested.)

BRAY, Kirsten Nicole, M.D. (Applicant) - Concord, North Carolina

Application to practice medicine and surgery denied. Based on the finding that when the doctor submitted her application to practice medicine and surgery, the doctor failed to respond to subsequent Board interrogatories, and that the doctor's acts, conduct, or omissions, individually or collectively, constitute a failure to cooperate with a board investigation, including failure to comply with a subpoena or order issued by the board or failure to answer truthfully a question presented by the board in an investigative interview, an office conference, at a deposition, or in written interrogatories. Order effective 8/9/2018. (Journal Entry – No hearing requested.)

BROWN, Stephen Scott, M.D. (#35.121057) - Huntington, West Virginia

License to practice medicine and surgery permanently revoked, and subject to a five thousand (\$5,000.00) dollar fine. Based on the previous action by the Commonwealth of Kentucky Board of Medical Licensure, which issued a 4/17/2017 Order of Revocation that revoked the doctor's medical license; and based on the finding that the doctor provided a false, fraudulent or misleading statement on his May 2017 renewal application, and failed to respond to Board Interrogatories. The doctor's acts, conduct, or omissions individually and collectively constitute a failure to cooperate in an investigation conducted by the Board, including the failure to comply with a subpoena or order issued by the Board in an investigative interview, an investigative office conference, at a deposition, or in written interrogatories; and also making a false, fraudulent, deceptive, or misleading statement in the solicitation of or advertising for patients, in relation to the practice of medicine and surgery, osteopathic medicine and surgery, podiatric medicine and surgery, or a limited branch of medicine, or in securing or attempting to secure any certificate to practice or certificate of registration issued by the board; and also Any of the following actions taken by an agency responsible for authorizing, certifying, or regulating an individual to practice a health care occupation or provide health care services in this state or another jurisdiction, for any reason other than the nonpayment of fees: the limitation, revocation, or suspension of an individual's license to practice; acceptance of an individual's license surrender; denial of a license; refusal to renew or reinstate a license; imposition of probation; or issuance of an order of censure or other reprimand. Order effective 8/9/2018.

CONRARDY, Anthony Gregory, M.D. (#35.097723) - Menomonee Falls, Wisconsin

License to practice medicine and surgery suspended for an indefinite period of time, but not less than two years; subject to conditions for reinstatement; and probationary terms, conditions, and limitations, for at least three years; and a permanent limitation and restriction not to prescribe, administer, dispense or personally furnish any controlled substance except those utilized in

relation to surgical anesthesiology. Based on the doctor's conviction in the United States District Court for the Eastern District of Michigan, Southern Division, of five felony counts of Unlawful Distribution of Controlled Substances. The doctor's acts, conduct, or omissions individually and collectively constitute: the selling, giving away, personally furnishing, prescribing, or administering drugs for other than legal and legitimate therapeutic purposes or a plea of guilty to, a judicial finding of guilt of, or a judicial finding of eligibility for intervention in lieu of conviction of, a violation of any federal or state law regulating the possession, distribution, or use of any drug; and a plea of guilty to, judicial finding of guilt of, or a judicial finding of eligibility for intervention in lieu of conviction for a felony. Order effective 8/9/2018.

DICELLO, Anthony Joseph, M.T. (Applicant) - Upper Arlington, Ohio

License to practice massage therapy granted, and immediately suspended for an indefinite period of time, but not less than ninety days, subject to interim monitoring, conditions for reinstatement or restoration, and probationary terms, conditions and limitations for at least five years. Based on the massage therapist's submission of an application for a certificate to practice massage therapy; on a March 2010 Immediate Suspension; a January 2011 Board Order; a July 2009 plea of guilty in the Franklin County Common Pleas Court to one count of Trafficking in Cocaine, and one count of Possession of Cocaine, both fifth degree felonies; a July 2009 plea of guilty in the Franklin County Common Pleas Court to one count of Possession of Criminal Tools, a fifth degree felony; an August 2009 plea of guilty in the Delaware County Common Pleas Court to two counts of Trafficking in Cocaine; and a submission of a 2007 application for renewal of certificate to practice massage therapy; all of which individually or collectively constitute: a plea of guilty to, a judicial finding of guilt, or a judicial finding of eligibility for intervention in lieu of conviction for, a felony; the selling, giving away, personally furnishing, prescribing, or administering drugs for other than legal and legitimate therapeutic purposes or a plea of guilty to, a judicial finding of guilt of, or a judicial finding of eligibility for intervention in lieu of conviction of, a violation of any federal or state law regulating the possession, distribution, or use of any drug; and the making of a false, fraudulent, deceptive, or misleading statement in solicitation of or advertising for patients; in relation to the practice of medicine and surgery, osteopathic medicine and surgery, podiatric medicine and surgery, or a limited branch of medicine; or in securing or attempting to secure and certificate to practice or certificate of registration issued by the Board; and also that the massage therapist is impaired in his ability to practice according to acceptable and prevailing standards of care because of habitual or excessive use or abuse of drugs, alcohol, or other substances that impair ability to practice. Order effective 8/9/2018.

TAYLOR, James R., III, M.T. (#33.020968) - Columbus, Ohio

License to practice massage therapy suspended for an indefinite period of time, but not less than one year; subject to conditions for reinstatement or restoration, and a five hundred (\$500.00) fine. Based on the finding that when the massage therapist continued to practice despite having his certificate suspended per a child support order issued by the Franklin County Child Support Enforcement Agency, the massage therapist's acts, conduct and/or omissions, individually or collectively, constitute the commission of a felony in Ohio, regardless of the jurisdiction in

which the act was committed, to wit, the Practice of Medicine [or any of its branches] without a license. Order effective 8/9/2018. (Journal Entry – No hearing requested.)

CONSENT AGREEMENTS

AGGARWAL, Krishan Kumar, M.D. (#35.066253) - Weirton, West Virginia

License to practice medicine and surgery indefinitely suspended; subject to general probationary terms, and conditions for reinstatement or restoration. Based on the doctor's admission that an indictment was filed against him in the United State District Court for the Northern District of West Virginia, charging him with felonies related to healthcare fraud, conspiracy to make false prescriptions, and illegal distribution of controlled substances; and on the admission that he declines to provide the Board with certain factual information concerning the pending criminal matter. Effective 8/8/2018.

BAULA, Marvin Mercado, M.D. (#35.099925) - Fairborn, Ohio

Commencing on the sixty-first day following the effective date of the Agreement, license to practice medicine and surgery indefinitely suspended, for at least one hundred eighty days, and subject to general probationary requirements; conditions for reinstatement or restoration; and a ten thousand dollar (\$10,000.00) fine. During the sixty-day interim, the doctor shall not undertake care of any patient not already under his care. Based on the doctor's admission that in the care of ten specified patients, the doctor failed to maintain minimal standards applicable to the selection or administration of drugs, or failed to employ acceptable scientific methods in the selection of drugs or other modalities for treatment of disease; and that he departed from, or the failed to confirm to, minimal standards of care of similar practitioners under the same or similar circumstances, whether or not actual injury to a patient is established; and that he violated or attempted to violate, directly or indirectly, or assisted in or abetted the violation of, or conspired to violate, a rule promulgated by the board, to wit: General provisions, rule 4731-11-02, Ohio Administrative Code, and the Standards and Procedures for Review of Ohio Automated Rx Reporting System. Effective 8/8/2018. Suspension effective 10/8/2018.

VOLUNTARY PERMANENT SURRENDERS/ RETIREMENTS/WITHDRAWALS

CAHILL, Jeffrey Dale, R.C.P. (#RCP.13497) - Union, Kentucky

Permanent surrender of license to practice respiratory care authorized by respiratory care professional in lieu of formal disciplinary proceedings pursuant to Section 4761.09(A)(1), Ohio Revised Code. Effective 8/8/2018.

DRIEDGER, Harry John, M.D., (#35.043229) - Portsmouth, Ohio

Voluntary permanent retirement of license to practice medicine and surgery authorized by doctor in lieu of formal disciplinary proceedings pursuant to Section 4731.22(B)(19), Ohio Revised Code. Effective 8/8/2018.

KASHYAP, Vikas, M.D. (#35.055836) - Cincinnati, Ohio

Voluntary permanent retirement of license to practice medicine and surgery authorized by doctor in lieu of further investigation into a possible violation pursuant to Section 4731.22(B)(19), Ohio Revised Code. Effective 8/8/2018.

MOORE, Stephen Lee, D.O. (#34.004442) - Bowling Green, Kentucky (Non-Disciplinary)

Permanent surrender of license to practice osteopathic medicine and surgery authorized by doctor in lieu of continuing compliance with 8/9/17 Consent Agreement. Effective 8/8/2018.

TRICASO, Michael Paul, M.D. (#34.007428) – Akron, Ohio

Permanent surrender of license to practice medicine and surgery authorized by doctor in lieu of further investigation of a possible violation pursuant to Section 4731.22(B)(10), Ohio Revised Code. Effective 8/23/2018.

SHANKMAN, Gregory Bernard, M.D. (#35.037768) - Clinton, New York

Permanent retirement and surrender of license to practice medicine and surgery and cancellation of emeritus status authorized by doctor in lieu of formal disciplinary proceedings pursuant to Section 4731.22(B)(22), Ohio Revised Code. Effective 8/8/2018.

DISMISSALS

ABBASSI, Alex, M.D. (#35.031467) – Westlake Village, California

The 1/13/2016 Notice of Opportunity for Hearing is dismissed as moot due to the doctor's demise on 4/12/2018. Order effective 8/9/2018.

COZZI, Michael Anthony, M.D. (35.098275) – Fort Wayne, Indiana

The 6/13/2018 Notice of Opportunity for Hearing is dismissed as moot due to the doctor's demise on 8/15/2018. Order effective 8/21/2018

PROBATIONARY REQUESTS AND MODIFICATIONS

ADIB, Malak S., M.D. (#35.070170) - Kettering, Ohio

Doctor's request for approval of medical records course, granted by vote of the Board on 8/8/2018.

JOHNSON, Peter Carl, M.D. (#35.066160) - Northwood, Ohio

Doctors request for approval to temporarily not attend psychotherapy sessions while his psychiatrist is out of the office, granted by vote of the Board on 8/8/2018.

KREBS, John Keith, M.D. (#35.066400) - Sheffield Village, Ohio

Doctor's request for approval of monitoring physician, granted by vote of the Board on 8/8/2018. Frequency and number of charts to be reviewed by monitor established as ten charts per month.

KUNTZMAN, Andrew J., M.T. (#33.006590) - Vandalia, Ohio

Massage therapist's request for approval of ethics courses, granted by vote of the Board on 8/8/2018.

MA, Muyan, M.D. (#35.130288) - Cleveland, Ohio

Doctor's request for approval of treating psychiatrist; and approval of medical ethics and disruptive physician courses, granted by vote of the Board on 8/8/2018.

MAIER, Adam Christopher, D.O. (#34.011814) - Columbus, Ohio

Doctor's request for approval of new monitoring physician, granted by vote of the Board on 8/8/2018.

MARSH, James Allen, Jr., D.O. (#34.009757) - Milan, Ohio

Doctor's request for approval of request for a reduction in personal appearances from every three months to every six months; and approval of a reduction in drug and alcohol rehabilitation meeting attendance from three per week to two per week with a minimum of ten per month, granted by vote of the Board on 8/8/2018.

PARROTT, Cassandra Rose, D.O. (#58.029892) - Cleveland Heights, Ohio

Doctor's request for approval of a reduction in the drug testing requirement from four per month to two per month, granted by vote of the Board on 8/8/2018.

TRACY, David Alexander, M.D. (#35.129642) - Brecksville, Ohio

Doctor's request for approval of new monitoring physician, granted by vote of the Board on 8/8/2018.

WINKLER, Aubrey Dawn, P.A. (#50.004611RX) - Cleveland, Ohio

Physician assistant's request for approval of physician preceptor; and approval of practice plan, granted by vote of the Board on 8/8/2018.

REINSTATEMENT REQUESTS

BLECHER, Saul Israel., M.D (#35.063813) - Cincinnati, Ohio

Doctor's request for reinstatement of license to practice medicine and surgery granted by vote of the Board on 8/8/2018, subject to probationary terms and conditions established by the 6/14/2017 Board Order for at least three years. Permanent restriction on license to remain in place.

PROBATION TERMINATED

FELUMLEE, Kirstin Dawn, M.T. (#33.019265) - Waynesville, Ohio

Massage therapist's request for approval of release from the terms of the 12/9/2015 Consent Agreement, granted by vote of the Board on 8/8/2018. Release effective immediately.

FISHMAN, David Jay, M.D. (#35.039578) - Chagrin Falls, Ohio

Doctor's request for approval of release from the terms of the 8/12/15 Consent Agreement, granted by vote of the Board on 8/8/2018. Release effective 8/12/2018.

NON-DISCIPLINARY CITATIONS

PRYCHODNIK, Carol Standridge, L.M.T. (#33.008117) – Akron, Ohio

Based on the allegation that the massage therapist has not been engaged in the active practice of massage therapy for more than two years. Notice of opportunity for a hearing mailed 8/9/2018.

KLINGAMAN (SORENSEN), Holly Jean, L.M.T. (#33.010130) – Larwill, Indiana

Based on the allegation that the massage therapist has not been engaged in the active practice of massage therapy for more than two years. Notice of opportunity for a hearing mailed 8/9/2018.

COURT ACTIONS

DAUGHERTY, Joseph Franklin, III, M.D. (#35.039319) – Park Hills, Kentucky

Magistrate's Decision and Judgment Entry filed on 7/27/2018, Court of Common Pleas, Franklin County, Ohio, affirming the 10/19/2016 Board Order.

DEMAS, Christopher Lou, M.D. (#35.042434) – Galena, Ohio

Notice of Appeal filed on 7/26/2018 with the Franklin County Court of Common Pleas, Franklin County, Ohio.

LANDRY, Kristen Gabrielle, M.D., (#35.131934) – Columbus, Ohio

Magistrate's Decision and Judgment Entry filed on 7/26/2018, Court of Common Pleas, Franklin County, Ohio, affirming the 7/13/2016 Board Order.

Notice of Appeal filed on 8/2/2018 with the Court of Appeals of Franklin County, Ohio, Tenth Appellate District.

MOORE, John Pease, III, M.D. (#35.069259) – Dayton, Ohio

Magistrate's Decision and Judgment Entry filed on 7/26/2018, Court of Common Pleas, Franklin County, Ohio, affirming the 10/19/2016 Board Order.

Please note that revocation and suspension Orders are not always effective immediately. If you have questions about effective dates or conditions governing a doctor's practice before a Board Order takes effect, please contact the office.

Ohio law permits appeal of a Board Order to the Franklin County Court of Common Pleas. Due to this possibility and the potential for a stay that might delay the imposition of a Board action, you may wish to contact us periodically to verify a given practitioner's licensure status.

Most current citation letters, Board Orders, consent agreements and voluntary surrenders or retirements are available on the Medical Board's website under "Lookup a License." If you have questions or need additional details about Citations, Board Orders, Consent Agreements, or Court Actions, please contact the Case Control Office. If you have questions regarding a probationary modification or a probationary request, please contact the Compliance Office. Our offices may be reached at (614) 466-3934.